

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

To:

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22. Juni 2005

Erled.

Date of mailing (day/month/year)
16 June 2005 (16.06.2005)

Applicant's or agent's file reference
2002-1018 P

IMPORTANT NOTIFICATION

International application No.
PCT/EP2003/011907

International filing date (day/month/year)
27 October 2003 (27.10.2003)

Applicant

OCE PRINTING SYSTEMS GMBH et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

CN

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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Authorized officer

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PATENT COOPERATION TREATY

PCT/EP2003/011907



Translation

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002-1018 P	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/011907	International filing date (day/month/year) 27 October 2003 (27.10.2003)	Priority date (day/month/year) 28 October 2002 (28.10.2002)
International Patent Classification (IPC) or national classification and IPC G03G 15/00		
Applicant OCE PRINTING SYSTEMS GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 9 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 27 May 2004 (27.05.2004)	Date of completion of this report 15 February 2005 (15.02.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/011907

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____, 1, 2, 4-20 _____, as originally filed
 pages _____, filed with the demand
 pages _____, 3, 3a _____, filed with the letter of _____ 17 December 2004 (17.12.2004)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, 1-28 _____, filed with the letter of _____ 17 December 2004 (17.12.2004)
- ☒ the drawings:
 pages _____, 1/10-10/10 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 19-28

because:

☒ the said international application, or the said claims Nos. 19-28
relate to the following subject matter which does not require an international preliminary examination (*specify*):

See the Supplemental Box

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III.1

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

In the letter of 26 May 2004, the applicant requested a detailed preliminary examination of claims 1 to 19 as originally filed (first invention). The following examination therefore relates only to amended claims 1 to 18, which correspond to the aforementioned claims.

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☐ all parts.
- ☒ the parts relating to claims Nos. 1-18

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

Lack of unity of the invention

The different inventions/groups of inventions are:

1. Graphical user interface (claims 1 to 9, 11 to 18) and methods (claims 10, 19) for displaying an error (claims 1 to 10) and for eliminating an error in an electrophotographic image forming device with at least two graphical representations of the image forming device indicating an error location, the second representation being an enlarged/more detailed representation of the first graphical representation (claims 11 to 19).
2. System (claims 20 to 28) and method (claim 29) for automatically generating messages in an electrostatic image forming device with generation of a text message incorporating an error code and transmission of the message to a receiver.

These inventions/groups are not so linked as to form a single general inventive concept (PCT Rule 13.1), since they have no common special technical features.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	7, 8	YES
	Claims	1-6, 9, 10	NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

2. Citations and explanations

I. Citations

Reference is made to the following documents:

D1: US 4 586 034 (29/08/1986)

D2: JP 2001 235 980 (31/08/2001)

II. Novelty and inventive step

The examiner agrees with the applicant that the user interface disclosed in D1 uses a first colour to represent a non-critical operating state and a second colour to represent a critical operating state, whereas in the normal state the relevant region of the display panel is not represented. The subject matter of **claims 1, 9 and 10** is therefore novel over D1.

However, D2 clearly discloses the indication of three operating states ([0011]-[0028], and fig. 2): the toner LED 31 shines green if there is sufficient toner ("normal operating state"), flashes green as soon as only a specific quantity of toner remains ("non-critical operating state") and shines red if there is insufficient toner ("critical operating state") (especially [0028]; it should also be observed here, however, that the display of the three states is not clear from the English abstract of D2). Even if the novelty of claims 1 and 10 over D2 cannot

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be called into question, "flashing green" is clearly none other colour than "green" and so the question of inventive step arises. Proceeding from D2 it appears obvious that, to solve the problem of providing an alternative possibility for displaying normal, non-critical and critical operating states, a person skilled in the art would choose the variant "first colour, second colour, third colour" instead of "first colour, first colour flashing, third colour" from the many obvious possibilities without thereby being inventive (in particular, the choice of the colour yellow for the non-critical operating state is obvious from the use of green and red for the normal and critical operating states in D2).

With respect to **claim 9**, which essentially incorporates all the features of claim 1 and is therefore actually dependent thereon, D2 discloses in [0020]-[0028] a plurality of indicators (LED 31, 22, 23, 24) which, independently of each other, display different states of assemblies. D2 provides for a situation where, for example, in the normal operating state the first indicator LED 31 is switched to green (sufficient toner) and the second indicator LED 24 is switched to green (paper in cassette 34) while, in the non-critical operating state (toner getting low, paper in cassette 34), the first indicator LED 31 is switched to flash green and the second indicator LED 24 stays green. In the third operating state, there is then no paper left in the cassette 34, which is indicated by a second indicator LED 24 in red ([0027]-[0028]). As discussed above with respect to claims 1 and 10, it seems obvious to choose a second colour to indicate the non-critical operating state.

The present application does not therefore satisfy the

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requirements of PCT Article 33(1) because the subject matter of **claims 1, 9 and 10** does not involve an inventive step (PCT Article 33(3)).

III. Dependent claims

In the light of D2, [0011]-[0028] and fig. 2, dependent **claims 2 to 6** do not contain any features which in combination with the features of any claim to which they refer back satisfy the PCT requirements for inventive step.

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VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Further observations

1. The representation of three operating states is known as prior art from D2 (see above).
2. The amendments to claims 1, 9, 10 and 18 (deletion of "electrophotographic", "electrographic") do not satisfy the requirements of PCT Article 19(2), since the application always refers only to an "electrophotographic printing or copying system" without any indication that the invention can also be applied to other printing or copying systems.

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